United Nations Convention on the Law of the Sea SPLOS/INF/22

Meeting of States Parties

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Issues related to the workload of the Commission on the Limits of the Continental Shelf — submissions to the Commission and receipt of preliminary information

Note by the Secretariat

1. The eleventh Meeting of States Parties to the United Nations Convention on the Law of the Sea, in paragraph (a) of its decision regarding the date of commencement of the ten-year period for making submissions to the Commission on the Limits of the Continental Shelf set out in article 4 of annex II to the United Nations Convention on the Law of the Sea[1] decided that, "in the case of a State Party for which the Convention entered into force before 13 May 1999, it is understood that the ten-year time period ... shall be taken to have commenced on 13 May 1999".

2. The eighteenth Meeting of States Parties provided, in paragraph 1 (a) of its decision regarding the workload of the Commission and the ability of States, particularly developing States, to fulfil the requirements of article 4 of annex II to the Convention, as well as the decision contained in SPLOS/72, paragraph (a),[2] that "it is understood that the time period referred to in article 4 of annex II to the Convention and the decision contained in SPLOS/72, paragraph (a), may be satisfied by submitting to the Secretary-General preliminary information indicative of the outer limits of the continental shelf beyond 200 nautical miles and a description of the status of preparation and intended date of making a submission in accordance with the requirements of article 76 of the Convention and with the Rules of Procedure[3] and the Scientific and Technical Guidelines[4] of the Commission on the Limits of the Continental Shelf".

3. In paragraph 1 (d) of the same decision, the eighteenth Meeting of States Parties requested the Secretary-General to inform the Commission and notify member States of the receipt of preliminary information in accordance with

[1] SPLOS/72.
[2] SPLOS/183.
[3] CLCS/40/Rev.1.
[4] CLCS/11 and Corr.1 and Corr.2; CLCS/11/Add.1 and Corr.1.

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paragraph 1 (a) and to make such information publicly available, including on the website of the Commission.

4. Since the eighteenth Meeting of States Parties, held from 13 to 20 June 2008, and in fulfilment of the requirements of article 4 of annex II to the Convention as well as the decision contained in SPLOS/72, paragraph (a), a number of States have made submissions to the Commission,[5] as follows: Japan (12 November 2008), Mauritius and Seychelles — joint submission in the region of the Mascarene Plateau (1 December 2008), Suriname (5 December 2008), Myanmar (16 December 2008), France — in respect of the areas of the French Antilles and the Kerguelen Islands (5 February 2009), Yemen — in respect of the area south-east of Socotra Island (20 March 2009), United Kingdom of Great Britain and Northern Ireland — in respect of the Hatton-Rockall Area (31 March 2009), Ireland — in respect of the Hatton-Rockall Area (31 March 2009), Uruguay (7 April 2009), Philippines — in the Benham Rise region (8 April 2009), Cook Islands — concerning the Manihiki Plateau (16 April 2009), Fiji (20 April 2009), Argentina (21 April 2009), Ghana (28 April 2009), Iceland — in the Ægir Basin area and in the western and southern parts of Reykjanes Ridge (29 April 2009), Denmark — in the area north of the Faroe Islands (29 April 2009), Pakistan (30 April 2009), Norway — in respect of Bouvetøya and Dronning Maud Land (4 May 2009), South Africa — in respect of the mainland of the territory of the Republic of South Africa (5 May 2009), Federated States of Micronesia, Papua New Guinea and Solomon Islands — joint submission concerning the Ontong Java Plateau (5 May 2009), Malaysia and Viet Nam — joint submission in the southern part of the South China Sea (6 May 2009), France and South Africa — joint submission in the area of the Crozet Archipelago and the Prince Edward Islands (6 May 2009), Kenya (6 May 2009), Mauritius — in the region of Rodrigues Island (6 May 2009), Viet Nam — in respect of the North Area (7 May 2009), Nigeria (7 May 2009), Seychelles — concerning the Northern Plateau Region (7 May 2009), France — in respect of La Réunion Island and Saint-Paul and Amsterdam Islands (8 May 2009), Palau (8 May 2009), Côte d'Ivoire (8 May 2009), Sri Lanka (8 May 2009), Portugal (11 May 2009), United Kingdom — "in respect of the Falkland Islands, and of South Georgia and the South Sandwich Islands" (11 May 2009), Tonga (11 May 2009), Spain — in respect of the area of Galicia (11 May 2009), India (11 May 2009), Trinidad and Tobago (12 May 2009) and Namibia (12 May 2009).

5. As at 22 May 2009, the following States have transmitted, in accordance with paragraph 1 (a) of document SPLOS/183, preliminary information to the Secretary-General on the dates indicated: Angola (12 May 2009), Bahamas (12 May 2009), Benin (12 May 2009), Benin and Togo (2 April 2009), Brunei Darussalam (12 May 2009), Cameroon (11 May 2009), Cape Verde (7 May 2009), Chile (8 May 2009), China (11 May 2009), Congo (12 May 2009), Costa Rica (11 May 2009), Cuba (12 May 2009), Democratic Republic of the Congo (11 May 2009), Equatorial Guinea (14 May 2009), Fiji (21 April 2009), Fiji and Solomon Islands (21 April 2009), Fiji, Solomon Islands and Vanuatu (21 April 2009), France (French Polynesia and Wallis and Futuna) (8 May 2009), France (Saint-Pierre-et-Miquelon) (8 May 2009), Gabon (12 May 2009), Gambia (4 May 2009), Guinea (11 May 2009),

[5] The executive summaries of these submissions, made in accordance with the requirements of article 76 of the Convention and with the Rules of Procedure and the Scientific and Technical Guidelines of the Commission, are available on the website of the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs (www.un.org/Depts/los).

Guinea-Bissau (8 May 2009), Guyana (12 May 2009), Mauritania (11 May 2009), Mauritius (6 May 2009), Mexico (6 May 2009), Micronesia (Federated States of) (5 May 2009), Mozambique (11 May 2009), New Zealand (Tokelau) (11 May 2009), Oman (15 April 2009), Papua New Guinea (5 May 2009), Republic of Korea (11 May 2009), Sao Tome and Principe (13 May 2009), Senegal (12 May 2009), Seychelles (8 May 2009), Sierra Leone (12 May 2009), Solomon Islands (5 May 2009), Somalia (14 April 2009), Spain (west of Canary Islands) (11 May 2009), Togo (8 May 2009) and United Republic of Tanzania (7 May 2009).

6. In conformity with paragraph 1 (d) of the decision contained in document SPLOS/183, the preliminary information submitted has been made publicly available through the web site of the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs (www.un.org/Depts/los). In addition, the Secretary-General has informed the Commission on the Limits of the Continental Shelf.

7. As provided in paragraph 1 (b) of that decision, such preliminary information shall not be considered by the Commission and, in accordance with paragraph 1 (c) of the same decision, it is without prejudice to the submission in accordance with the requirements of article 76 of the Convention and with the Rules of Procedure and the Scientific and Technical Guidelines of the Commission, and the consideration of the submission by the Commission.

8. In addition, in a communication dated 12 May 2009, Nauru informed the Secretary-General of "its present inability owed to its current lack of the required capacity and resources to fulfil the legal requirements under article 76 of the Convention", stating that this "should not prejudice Nauru's inherent right as an equal and sovereign member of the international community, a coastal State, and especially as a small island developing State, to assess a potential claim on an extended continental shelf at a future point in time".